

Senate Engrossed

State of Arizona
Senate
Forty-sixth Legislature
First Regular Session
2003

CHAPTER 6

SENATE BILL 1021

AN ACT

AMENDING SECTION 16-230, ARIZONA REVISED STATUTES; RELATING TO VACANCY IN OFFICE.

(TEXT OF BILL BEGINS ON NEXT PAGE)



1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 16-230, Arizona Revised Statutes, is amended to
3 read:

4 16-230. Vacancy in certain state or county offices; election

5 A. Notwithstanding any other statute and except as prescribed by
6 subsection B- C of this section, for state and county offices that provide
7 for a four-year term of office, the following applies if there is a vacancy
8 in office due to death, disability, resignation or any other cause:

9 1. If a state office becomes vacant, the governor shall appoint a
10 person of the same political party as the person vacating the office to fill
11 the portion of the term until the next regular general election. If the
12 vacancy occurs within the first two years of the term, and before the date
13 on which a nomination paper is required to be filed as prescribed by section
14 16-311, a primary election shall be held as otherwise provided by law to
15 determine candidates to fill the unexpired term. At the next regular general
16 election, the person elected shall fill the remainder of the unexpired term
17 of the vacant office.

18 2. If a county office becomes vacant, the board of supervisors shall
19 appoint a person of the same political party as the person vacating the
20 office to fill the portion of the term until the next regular general
21 election. If the vacancy occurs within the first two years of the term, and
22 before the date on which a nomination paper is required to be filed as
23 prescribed by section 16-311, a primary election shall be held as otherwise
24 provided by law to determine candidates to fill the unexpired term. At the
25 next regular general election, the person elected shall fill the remainder
26 of the unexpired term of the vacant office.

27 B. A PERSON WHO IS ELECTED TO FILL THE REMAINDER OF AN UNEXPIRED TERM
28 OF A VACANT OFFICE PURSUANT TO SUBSECTION A OF THIS SECTION MAY TAKE THE OATH
29 OF OFFICE AND BEGIN THE REMAINDER OF THE TERM OF OFFICE AT ANY TIME WITHIN
30 NINETY DAYS AFTER THE CANVASS OF THE ELECTION. A PERSON WHO IS APPOINTED
31 PURSUANT TO SUBSECTION A OF THIS SECTION SHALL REMAIN IN OFFICE UNTIL THE
32 PERSON ELECTED PURSUANT TO THIS SUBSECTION TAKES THE OATH OF OFFICE.

33 B- C. This section does not apply to the office of governor.

APPROVED BY THE GOVERNOR MARCH 25, 2003.

FILED IN THE OFFICE OF THE SECRETARY OF STATE MARCH 26, 2002.

Passed the House March 19, 20 03

by the following vote: 59 Ayes,

0 Nays, 1 Not Voting

Jake Flake

Speaker of the House

Spencer L. Moore

Chief Clerk of the House

Passed the Senate February 18, 20 03

by the following vote: 28 Ayes,

1 Nays, 1 Not Voting

Ken Bennett

President of the Senate

Charmin Bellinger

Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill was received by the Governor this

20 day of March, 2003

at 12:21 o'clock P M.

Sandra Ramirez

Secretary to the Governor

Approved this 25 day of

March, 2003,

at 4:50 o'clock P M.

J. A. Nagel

Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State

this 26 day of March, 2003,

at 2:55 o'clock P M.

Jamie K. Brown

Secretary of State

S.B. 1021